

## REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to claims 15-17 because the limitation "the conductive element" on line 21 of claim 15 lacks antecedent basis. The Examiner suggests that "the conductive element" be changed to --the coil--. In response, claim 15 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to claims 15-17 be withdrawn.

In the Official Action, the Examiner rejects claims 1-4, 6-8, 10, and 13-17 under 35 U.S.C. § 103(a) as being unpatentable over EPO Patent No. 0 686 863 to Esashi et al. (hereinafter "Esashi") in view of U.S. Patent No. 6,122,089 to Minamoto et al. (hereinafter "Minamoto"). Additionally, the Examiner rejects claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Esashi and Minamoto and further in view of U.S. Patent No. 6,201,629 to McClelland et al. (hereinafter "McClelland"). In response, independent claims 1 and 15 have been amended to clarify their distinguishing features.

Turning now to the prior art, the Examiner states in lines 6-10 on page 4 of the Official Action that Esashi discloses magnetic field generating elements fixed on the base. According to Esashi, the magnetic field generating elements (which interact with the conductive element formed on the second surface of the movable plate to drive the mirror structure) are: (i) two pairs of magnetic field generating elements (10A-10B and 11A-11B) and (ii) two other pairs of magnetic field generating elements (12A-12B and 13A-13B) for a drive (rocking) axis orthogonal to the drive (rocking) axis of the first two pairs of magnetic field generating elements, where all four pairs of magnetic field generating elements interpose the first and second surfaces of the mirror structure (lines 13-19 on page 6, lines 39-45 on

page 10, etc.). Esashi further discloses the optical deflector being driven by the conductive elements and the pairs of magnetic field generating elements interposing the first and second surfaces of the mirror structure. Therefore, Esashi teaches a planar galvanomirror where it is necessary to mount magnetic field generating elements on both sides of the base on which the mirror structure is mounted. In stark contrast, independent claims 1 and 15 have been amended to recite that the magnetic field generating elements are located only on the same side of the base as that on which the mirror structure is mounted. Esashi neither suggests nor discloses such a feature.

In addition, claims 1 and 15 have also been amended to recite that the magnetic field generating elements are located only on the same side of the bases as that on which the mirror structure is mounted and the yoke of magnetic material, which cooperates with the magnetic field generating elements, constitute a magnetic circuit.

Esashi neither suggests nor discloses such a feature. In stark contrast, Esashi discloses each pair of magnetic field generating elements interposing the first and second surfaces of the mirror structure constituting a magnetic circuit.

Turning now to Minamoto, Applicants respectfully submit that the present invention was made to solve a problem not contemplated or solved by Minamoto. Therefore, Minamoto also does not suggest or disclose the features discussed above with regard to Esashi. Specifically, Minamoto does not disclose or suggest the magnetic field generating elements being mounted only on the same side of the base as that on which the mirror structure is mounted or the magnetic field generating elements and the yoke of magnetic material, which cooperates with the magnetic field generating elements, constituting a magnetic circuit.

The amendments to claims 1 and 15 are fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the present amendment of claims 1 and 15. Furthermore, the advantages of the above-stated features are described in the specification at lines 4-13 on page 19. Claim 10 has also been amended to be consistent with its base claim (amended claim 1).

Independent claims 1 and 15, as amended, are not rendered obvious by the cited references because neither the Esashi patent, nor the Minamoto patent, nor the McClelland Patent whether taken alone or in combination, teach or suggest an optical deflector having the features discussed above. Accordingly, claims 1 and 15, as amended, patentably distinguish over the prior art and are allowable. Claims 2-8, 10, 13, 14, 16, and 17, being dependent upon claims 1 and 15, are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-8, 10, and 13-17 under 35 U.S.C. § 103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Thomas Spinelli

Registration No.: 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
TS:cm